

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>LINDA MURPHY</b>  <b>v.</b>  <b>STATE FARM MUTUAL AUTOMOBILE INSURANCE COMPANY</b>	<b>CIVIL ACTION</b>  <b>NO. 16-2922</b>
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**ORDER**

And **NOW**, this 15th day of September, 2016, for the reasons stated in the foregoing memorandum, upon consideration of Defendant's motion to dismiss (ECF 5) Plaintiff's Complaint, and all responses, replies, memoranda, and submissions thereto, it is hereby **ORDERED**:

Count II of Plaintiff's Complaint is **DISMISSED WITHOUT PREJUDICE**, with leave to amend within fourteen (14) days from the date of this Order.

Count III is **DISMISSED WITH PREJUDICE**.

**BY THE COURT:**

/s/ Michael M. Baylson

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**Michael M. Baylson, U.S.D.J.**